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Total Number of Pages in This Submission

Application Number
09/743,710

Filing Date
January 16, 2001

First Named Inventor
Konstantinos POULAKIS

Art Unit
1795

Examiner Name
J. J. Rhee

Attorney Docket Number
41145

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Roylance, Abrams, Berdo & Goodman, L.L.P. (Customer No. 01609)		
Signature			
Printed name	Mark S. Bicks		
Date	November 27, 2007	Reg. No.	28,770

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41145



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of :
KONSTANTINOS POULAKIS ET AL. :
Serial No.: 09/743,710 : Art Unit: 1772
Filed: January 16, 2001 : Examiner: J. J. Rhee
For: **METHOD FOR PRODUCING A** : Appeal No. _____
SHAPED FOAM BODY, :
ESPECIALLY A FOAM PADDING :
ELEMENT FOR A VEHICLE SEAT :

APPELLANT'S SUPPLEMENTAL REPLY
BRIEF ON APPEAL UNDER 37 C.F.R. § 1.193(b)

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the response to the November 14, 2007 Examiner's Answer and the appeal to the Board of Patent Appeals and Interferences from the decision dated March 27, 2003 of the Primary Examiner twice rejecting claims 9-19 in connection with the above-identified application, Applicants-Appellants submit the following supplemental reply brief.

A comparison of the August 25, 2003 Examiner's Answer and of the November 14, 2007 Examiner's Answer reveals that the sole difference therebetween is the addition on page 4 of a new ground of rejection of claims 9-18 under 35 U.S.C. §112, first paragraph, on the ground that the specification allegedly fails to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claim 9 recitation of "a

ferromagnetic coating extending throughout the entire length and width of the foam-inhibiting coating". Except for this addition, the November 14, 2007 Examiner's Answer appears to be identical to the August 25, 2003 Examiner's Answer.

Such recitation in issue only appears in claim 9, and does not appear in claim 19. The reference to claim 19 in the added paragraph is incorrect.

This rejection is untenable for the reasons advanced in the Brief on Appeal filed October 27, 2003 and in the Reply Brief on Appeal filed October 25, 2004 relative to the objection and rejection under 35 U.S.C. §132 and 35 U.S.C. §112. These reasons are not repeated to avoid further burdening of the already extensive record in this application, and to avoid further delay in the prosecution.

In view of the foregoing, and for the reasons set forth in applicants' previously filed Brief on Appeal and Reply Brief on Appeal, Applicants-Appellants submit that (1) the objection under 35 U.S.C. § 132 to the incorporation by reference and to claim 9, (2) the rejection under 35 U.S.C. § 112, first paragraph, of claims 9-18, and (3) the rejection under 35 U.S.C. § 103 of claims 9-19 are untenable. Thus, Applicants-Appellants request that that this objection and these rejections be reversed.

Respectfully Submitted,



Mark S. Bicks
Reg. No. 28,770

Roylance, Abrams, Berdo & Goodman, LLP
1300 19th Street, NW, Suite 600
Washington, DC 20036-1649
(202) 659-9076

Dated: November 27, 2007